

## Message Text

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ACTION NEA-11

INFO OCT-01 EUR-12 ISO-00 CIAE-00 COME-00 EB-08 INR-10  
LAB-04 NSAE-00 SIL-01 DODE-00 PA-01 ICA-11 SP-02  
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TO SECSTATE WASHDC PRIORITY 2741  
INFO AMEMBASSY ALGIERS  
AMEMBASSY BRUSSELS  
AMEMBASSY CAIRO  
AMEMBASSY PARIS  
AMEMBASSY RABAT  
AMEMBASSY TRIPOLI

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BRUSSELS FOR USEEC/LABATT  
CAIRO FOR JIM BISHOP  
PARIS FOR LABATT

E.O. 11652: N/A  
TAGS: ELAB, PINS, TS  
SUBJ: STATE SECURITY COURT TRAILS; SEPTEMBER 29

REF: TUNIS 6974

1. SEPT 29 SESSION OF STATE SECURITY COURT TRIALS OPENED AT  
9:30 A.M. WITH THE JUDGE READING THE NAMES OF THE EIGHTEEN  
ATTORNEYS APPOINTED AS DEFENSE COUNSEL BY THE COURT SEPT 28. ALL  
OF THEM WERE PRESENT WITH THE EXCEPTION OF ONE WHO WAS  
OUTSIDE THE COUNTRY. ONE OF THE DESIGNATED LAWYERS,  
EX-MINISTER OF BOTH INTERIOR AND OF DEFENSE, BEJI CAID  
ESSEBSI, TOOK THE FLOOR TO ASK THE COURT TO RELIEVE HIM OF THIS  
RESPONSIBILITY ON GROUNDS IT WAS IN CONTRADICTION WITH  
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HIS STATUS AS A "WITNESS AGAINST THE ACCUSED." THIS, HE  
SAID, HE LEARNED WHEN HE READ THE OFFICIAL REPORT ON THE  
ACCUSATIONS. HIS REQUEST WAS ACCEPTED AND A SUBSTITUTE  
WAS IMMEDIATELY ANNOUNCED BY THE COURT.

2. SPEAKING ON BEHALF OF THE EIGHTEEN COURT-APPOINTED  
LAWYERS, MOHAMED BN NACEUR, WHO WAS ORIGINALLY CHARGED

BY THE ARAB LABOR FEDERATION TO DEFEND ALL OF THE ACCUSED AND THEN DESIGNATED BY THE COURT TO BE A LAWYER FOR ALL THE ACCUSED, COMPLAINED THAT THE COURT DID NOT FOLLOW LEGAL PROCEDURES WHEN IT DECIDED TO DESIGNATE THE LAWYERS. HE SAID THAT ACCORDING TO THE LAW, THE DEFENDANTS SHOULD HAVE BEEN INFORMED OF THE WITHDRAWAL OF THEIR ORIGINAL LAWYERS AND ASKED TO APPOINT SUBSTITUTES. THIS DID NOT HAPPEN, HE SAID. HE ALSO COMPLAINED THAT THE LAWYERS WERE UNABLE TO OBTAIN MORE THAN ONE TENTH OF THE DOCUMENTS RELATION TO THE CASE, AND REQUESTED A NEW ADJOURNMENT TO ENABLE THEM TO READ AND STUDY THE DOCUMENTS TO BE ABLE TO CARRY OUT THEIR RESPONSIBILITIES PROPERLY. HIS REQUEST WAS REJECTED BY THE COURT.

3. THEN LAWYER CHTOUROU ATTEMPTED TO PRESENT TO THE COURT A WRITTEN STATEMENT BY MR. IRVING BROWN OF THE AFL-CIO. HE EXPLAINED THAT THIS DOCUMENT CONCERNED THE CASE AND WAS ESSENTIAL FOR THE DEFENSE. THE PRESIDING JUDGE REJECTED CHROUROU'S REQUEST BECAUSE OF THE ABSENCE OF AN OFFICIAL ARABIC TRANSLATION OF THE DOCUMENT. A SECOND DOCUMENT THAT INCLUDED A STATEMENT BY MR. OTTO KERSTEN OF THE ICFTU WAS ALSO REJECTED FOR THE SAME REASON. BOTH MEN WERE PRESENT IN THE AUDIENCE.

4. AT 9:45 A.M. THE INTERROGATION OF THE DEFENDANTS BEGAN, LASTING UNTIL 11:30 WHEN THE COURT WAS ADJOURNED UNTIL LIMITED OFFICIAL USE

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MORNING OF SEPT 30. EIGHTEEN DEFENDANTS WERE CALLED TO APPEAR. THE NINETEENTH DEFENDANT, WHO WAS SUPPOSED TO BE INTERROGATED, REPORTEDLY IS ILL AND COULD NOT BE PRESENT. FIFTEEN OF THE EIGHTEEN DEFENDANTS REFUSED TO ANSWER THE COURT'S QUESTIONS IN THE ABSENCE OF THEIR ORIGINAL DEFENSE ATTORNEYS. THREE OF THE EIGHTEEN (THOSE WHO ARE FREE ON PROVISIONAL LIBERTY) DID RESPOND TO THE COURT'S QUESTIONS, HOWEVER. THE THREE CATEGORICALLY DENIED ALL THE ACCUSATIONS AGAINST THEM, AND THEY CLAIMED THAT THE GENERAL STRIKE WAS CALLED BY THE FORMER UGTT LEADERSHIP ON JANUARY 26 BECAUSE OF THE REPEATED ATTACKS ON UGTT OFFICES IN SOUSSE AND KAIROUAN AND BECAUSE OF THE LACK OF ANY COUNTERMEASURES BY AUTHORITIES AGAINST THE ATTACKERS. NONE OF THE PRINCIPAL DEFENDANTS WERE AMONG THE EIGHTEEN CALLED TO ANSWER QUESTIONS TODAY. FOR THE MOST PART, THESE WERE THE EX-REGIONAL SECRETARIES GENERAL. THOSE WHO WILL BE CALLED BEFORE THE COURT TOMORROW INCLUDE THE TEN EX-EXECUTIVE BUREAU MEMBERS BACCOUCHE, GHORBAL, HAMMOUDIA, BOURAOUI, BELAID, BESBES, GHARBI, ESSAHLI, EZZIDDINE AND BEN KADDOUR. THE COURT DID NOT INDICATE WHETHER A DATE HAD BEEN SET FOR EX-UGTT SECRETARY GENERAL HABIB ACHOUR TO BE INTERROGATED. ACHOUR WILL BE THE ONLY DEFENDANT REMAINING TO BE

BROUGHT BEFORE THE COURT.

5. COMMENT. ABOVE PROCEEDINGS TOOK PLACE IN NOTABLY CALM -- ALMOST RELAXED --ATMOSPHERE. MORE FAMILY MEMBERS WERE OBSERVED IN COURTROOM THAN ON DAY BEFORE, AND DEFENDANTS AND AUDIENCE WERE CALM FOR MOST OF TWO HOURS COURT WAS IN SESSION. WE NOTE THAT ACTIONS OF DEFENSE ATTORNEYS AND OF DEFENDANTS CLOSELY FOLLOW SCENARIO DESCRIBED TO US BY MEMBER OF DEFENSE COUNSEL (SEE TUNIS 6384). AS PREDICTED, COURT DISCHARGED ORIGINAL DEFENSE TEAM AND APPOINTED SMALLER NUMBE OF ATTORNEYS TO REPRESENT ACCUSED. ALSO AS EXPECTED, APPOINTED ATTORNEY REQUESTED FURTHER POSTPONEMENT IN ORDER TO STUDY CASE. COURT PREDICATBLY DENIED THIS REQUEST, LEAVING APPOINTED LIMITED OFFICIAL USE

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ATTORNEYS NO LEGAL ALTERNATIVE BUT TO CONTINUE CASE. MAIN QUESTION REMAINS WHAT ACHOUR WILL DO WHEN HE IS CALLED BEFORE BENCH.  
KING

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## Message Attributes

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